

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

VS.

DAVID TOSH

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CASE NO.: 3:11-CR-117-L

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
DEC 20 2011  
CLERK, U.S. DISTRICT COURT  
by *A*  
Deputy

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

David Tosh, by consent, under authority of United States v. Dees, 125 F.3d 261 (5<sup>th</sup> Cir. 1997), appeared before me pursuant to Rule 11 of the Federal Rules of Criminal Procedure, and entered a plea of guilty to Count(s) 1 of the Indictment on December 20, 2011. After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense(s) charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, and that Defendant be adjudged guilty and have sentence imposed accordingly.

Date: December 20, 2011.



UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).